

DFW

PTO/SB/21 (08-03)

Approved for use through 07/31/06. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

2

Application Number

10/728,132

Filing Date

December 4, 2003

First Named Inventor

Peter J. Hopper et al.

Group Art Unit

2818

Examiner Name

Nhu, David

Attorney Docket Number

100-23700 (P05749)

### ENCLOSURES (check all that apply)

☐ Fee Transmittal Form

☐ Fee Attached

☒ Amendment/Response

☐ After Final (Response)

☐ Affidavits/declaration(s)

☐ Extension of Time Request

☐ Express Abandonment Request

☐ Information Disclosure Statement  
and Form PTO-1449

☐ Certified Copy of Priority  
Document(s)

☐ Response to Missing Parts/  
Incomplete Application

☐ Response to Missing  
Parts under 37 CFR  
1.52 or 1.53

☐ Assignment Papers  
(for an Application)

☐ Drawing(s)

☐ Licensing-related Papers

☐ Petition Routing Slip (PTO/SB/69)  
and Accompanying Petition

☐ Petition to Convert to a  
Provisional Application

☐ Power of Attorney, Revocation  
Change of Correspondence Address

☐ Terminal Disclaimer

☐ Request for Refund

☐ CD, Number of CD(s) \_\_\_\_\_

☐ After Allowance Communication to  
Group

☐ Appeal Brief

☐ Appeal Communication to Group  
(Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Inquiry

☒ Other Enclosure(s)  
(please identify below):

**Return Receipt Postcard  
Certificate of Mailing**

Remarks

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm  
or  
Individual name

Mark C. Pickering, Reg. No. 36,239

Signature

*Mark C. Pickering*

Date

February 22, 2005

### CERTIFICATE OF EXPRESS MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: M/S Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date: February 22, 2005

Typed or printed name

Robin L. King

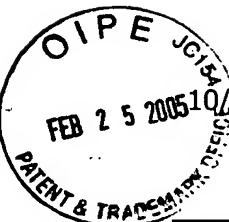
Signature

*Robin L. King*

Date

February 22, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:

Peter J. Hopper et al.

Appln. No.: 10/728,132

Filed: December 4, 2003

For: VERTICAL MOS TRANSISTOR

Group Art Unit: 2818

Examiner: Nhu, David

RESPONSE TO RESTRICTION REQUIREMENT  
MAILED February 7, 2005

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The Examiner required that the above-identified application be restricted to claims 1-15, which are drawn to a transistor, or claims 16-20 which are drawn to a method of forming a transistor with a first region of a first conductivity type. As a result, applicants elect to prosecute claims 1-15 without traverse.

Respectfully submitted,

Dated: 2-22-05

By: Mark C. Pickering

Mark C. Pickering  
Registration No. 36,239  
Attorney for Assignee

30 Fifth Street, Suite 200  
P.O. Box 300  
Petaluma, CA 94953-0300  
Direct Dial Telephone No. (707) 762-5583  
Telephone: (707) 762-5500  
Facsimile: (707) 762-5504  
Customer No. 33402

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service, postage prepaid, in an envelope, addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 02-22-05

Dated: February 22, 2005 By: Quinn D. Keag